



February 20, 2009

SENATE BILL No. 555

DIGEST OF SB 555 (Updated February 18, 2009 3:33 pm - DI 106)

Citations Affected: IC 11-10; IC 12-26; IC 33-23; IC 33-24; IC 35-36.

Synopsis: Sale of firearms to mentally ill persons. Requires the division of state court administration to establish and administer an electronic system for: (1) receiving information that relates to certain individuals who may be prohibited from possessing a firearm; and (2) transmitting this information to the Federal Bureau of Investigation for inclusion in the federal National Instant Criminal Background Check System (NICS). Provides that, if a court makes an adjudication or a finding concerning a person's mental health that may disqualify the person from possessing a firearm, the court shall transmit certain information concerning the finding or adjudication to the division of state court administration for transmittal to NICS. Establishes a procedure by which a person who has been released from commitment or who has completed treatment may have the person's disqualification to possess a firearm removed. Makes other changes and conforming amendments.

Effective: July 1, 2009.

Bray

January 15, 2009, read first time and referred to Committee on Judiciary.
February 19, 2009, amended, reported favorably — Do Pass.

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SB 555—LS 7438/DI 106+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 555

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 11-10-4-3, AS AMENDED BY P.L.99-2007,
2 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 3. (a) A committed offender may be involuntarily
4 transferred to the division of mental health and addiction or to a mental
5 health facility only if:

6 (1) the offender has been examined by a psychiatrist employed or
7 retained by the department and the psychiatrist reports to the
8 department in writing that, in the psychiatrist's opinion, the
9 offender has a mental illness and is in need of care and treatment
10 by the division of mental health and addiction or in a mental
11 health facility;

12 (2) the director of mental health approves of the transfer if the
13 offender is to be transferred to the division of mental health and
14 addiction; and

15 (3) the department affords the offender a hearing to determine the
16 need for the transfer, which hearing must comply with the
17 following minimum standards:

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(A) The offender shall be given at least ten (10) days advance written and verbal notice of the date, time, and place of the hearing and the reason for the contemplated transfer. This notice must advise the offender of the rights enumerated in clauses (C) and (D). Notice must also be given to one (1) of the following:

- (i) The offender's spouse.
- (ii) The offender's parent.
- (iii) The offender's attorney.
- (iv) The offender's guardian.
- (v) The offender's custodian.
- (vi) The offender's relative.

(B) A copy of the psychiatrist's report must be given to the offender not later than at the time notice of the hearing is given.

(C) The offender is entitled to appear in person, speak in the offender's own behalf, call witnesses, present documentary evidence, and confront and cross-examine witnesses.

(D) The offender is entitled to be represented by counsel or other representative.

(E) The offender must be given a written statement of the findings of fact, the evidence relied upon, and the reasons for the action taken.

(F) A finding that the offender is in need of mental health care and treatment in the division of mental health and addiction or a mental health facility must be based upon clear and convincing evidence.

(b) If the official in charge of the facility or program to which the offender is assigned determines that emergency care and treatment in the division of mental health and addiction or a mental health facility is necessary to control a mentally ill offender who is either gravely disabled or dangerous, that offender may be involuntarily transferred, subject to the approval of the director of the division of mental health and addiction, before holding the hearing described in subsection (a)(3). However, this subsection does not deprive the offender of the offender's right to a hearing.

(c) The official in charge of the division of mental health and addiction or facility to which an offender is transferred under this section must give the offender a semiannual written report, based on a psychiatrist's examination, concerning the offender's mental condition and the need for continued care and treatment in the division of mental health and addiction or facility. If the report states that the offender is

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1 still in need of care and treatment in the division of mental health and
 2 addiction or a mental health facility, the division of mental health and
 3 addiction or facility shall, upon request of the offender or a
 4 representative in the offender's behalf, conduct a hearing to review the
 5 need for that continued care and treatment. The hearing must comply
 6 with the minimum standards established by subsection (a)(3). The
 7 division of mental health and addiction or facility to which the offender
 8 is transferred under this section may conduct a hearing under this
 9 subsection upon its initiative.

10 (d) If the division of mental health and addiction or facility to which
 11 an offender is transferred under this section determines that the
 12 offender no longer needs care and treatment in the division of mental
 13 health and addiction or facility, the division of mental health and
 14 addiction or facility shall return the offender to the custody of the
 15 department of correction, and the department of correction shall
 16 reassign the offender to another facility or program.

17 **(e) After an offender has been involuntarily transferred to and**
 18 **accepted by the division of mental health and addiction, the**
 19 **department shall transmit any information required by the division**
 20 **of state court administration for transmission to NICS (as defined**
 21 **in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.**

22 SECTION 2. IC 12-26-6-8, AS AMENDED BY P.L.141-2006,
 23 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2009]: Sec. 8. (a) If, upon the completion of the hearing and
 25 consideration of the record, the court finds that the individual is
 26 mentally ill and either dangerous or gravely disabled, the court may
 27 order the individual to:

- 28 (1) be committed to an appropriate facility; or
- 29 (2) enter an outpatient treatment program under IC 12-26-14 for
- 30 a period of not more than ninety (90) days.

31 (b) The court's order must require that the superintendent of the
 32 facility or the attending physician file a treatment plan with the court
 33 within fifteen (15) days of the individual's admission to the facility
 34 under a commitment order.

35 (c) If the commitment ordered under subsection (a) is to a state
 36 institution administered by the division of mental health and addiction,
 37 the record of commitment proceedings must include a report from a
 38 community mental health center stating both of the following:

- 39 (1) That the community mental health center has evaluated the
- 40 individual.
- 41 (2) That commitment to a state institution administered by the
- 42 division of mental health and addiction under this chapter is

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appropriate.

(d) The physician who makes the statement required by section 2(c) of this chapter may be affiliated with the community mental health center that submits to the court the report required by subsection (c).

(e) If the commitment is of an adult to a research bed at Larue D. Carter Memorial Hospital as set forth in IC 12-21-2-3, the report from a community mental health center is not required.

(f) If a commitment ordered under subsection (a) is to a state institution administered by the division of disability and rehabilitative services, the record of commitment proceedings must include a report from a service coordinator employed by the division of disability and rehabilitative services stating that, based on a diagnostic assessment of the individual, commitment to a state institution administered by the division of disability and rehabilitative services under this chapter is appropriate.

(g) If the court makes a finding under subsection (a) (including a finding in reference to a child under IC 31-37-18-3), the court shall transmit any information required by the division of state court administration to the division of state court administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 3. IC 12-26-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) If at the completion of the hearing and the consideration of the record an individual is found to be mentally ill and either dangerous or gravely disabled, the court may enter either of the following orders:

(1) For the individual's custody, care, or treatment, or continued custody, care, or treatment in an appropriate facility.

(2) For the individual to enter an outpatient therapy program under IC 12-26-14.

(b) An order entered under subsection (a) continues until any of the following occurs:

(1) The individual has been:

(A) discharged from the facility; or

(B) released from the therapy program.

(2) The court enters an order:

(A) terminating the commitment; or

(B) releasing the individual from the therapy program.

(c) If the court makes a finding under subsection (a), the court shall transmit any information required by the division of state court administration to the division of state court administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in

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1 accordance with IC 33-24-6-3.

2 SECTION 4. IC 33-23-1-9.5 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2009]: Sec. 9.5. "NICS" has the meaning set forth in
5 IC 35-47-2.5-2.5.

6 SECTION 5. IC 33-23-15 IS ADDED TO THE INDIANA CODE
7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2009]:

9 **Chapter 15. NICS Appeals**

10 **Sec. 1. This chapter applies to the following:**

- 11 (1) A person civilly committed under IC 12-26-6-8.
- 12 (2) A person found to be mentally ill and either dangerous or
- 13 gravely disabled under IC 12-26-7-5.
- 14 (3) A person found guilty but mentally ill under IC 35-36-2-5.
- 15 (4) A person found not responsible by reason of insanity
- 16 under IC 35-36-2-4.
- 17 (5) A person found incompetent to stand trial under
- 18 IC 35-36-3-1.
- 19 (6) A confined offender who is determined to be mentally ill
- 20 and has been involuntarily transferred to and accepted by the
- 21 division of mental health and addiction under IC 11-10-4-3.

22 **Sec. 2. (a) If a person described in section 1 of this chapter:**

- 23 (1) has been released from commitment; or
- 24 (2) successfully completes a treatment or rehabilitation
- 25 program;

26 the person may petition the court (if the adjudication leading to the
27 person's commitment, rehabilitation, or treatment program was
28 from a court) or the department of correction (if the determination
29 leading to the person's rehabilitation or treatment program was
30 from a psychiatrist employed by or retained by the department of
31 correction) to determine whether the person is prohibited from
32 possessing a handgun because the person is not a proper person
33 under IC 35-47-1-7(5) or IC 35-47-1-7(6).

34 (b) In determining whether the person is prohibited from
35 possessing a handgun because the person is not a proper person
36 under IC 35-47-1-7(5) or IC 35-47-1-7(6), the court or department
37 of correction shall consider the following evidence:

- 38 (1) The facts and circumstances leading to the person being
- 39 included in the category of persons to whom this chapter
- 40 applies.
- 41 (2) The person's mental health and criminal history records.
- 42 (3) Evidence concerning the person's reputation, including the

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testimony of character witnesses.

(4) A recent mental health evaluation by a psychiatrist or psychologist licensed to practice in Indiana.

(c) If the court or the department of correction, after considering the evidence described in subsection (b), finds by clear and convincing evidence that:

(1) the person is not a danger to the person or to others;

(2) the person is not likely to act in a manner dangerous to public safety; and

(3) the requested relief would not be contrary to public interest;

the court or department of correction shall transmit its findings to the department of state court administration, and any other information required by the division of state court administration, for transmission to NICS in accordance with IC 33-24-6-3.

(d) A determination under this section may be appealed only in accordance with section 3 of this chapter.

Sec. 3. (a) A person who receives an adverse decision under section 2 of this chapter may seek review the decision by filing, not later than thirty (30) days after receiving the adverse decision, an action for review:

(1) in the court of conviction, if the adverse decision was made by the department of correction; or

(2) in a circuit or superior court in a county adjacent to the county in which the court rendered the adverse decision, if the adverse decision was made by a court.

(b) The court hearing an action for review filed under this section shall conduct the review hearing de novo. The hearing shall be conducted in accordance with section 2 of this chapter.

(c) The determination of a court under this section is a final appealable order.

SECTION 6. IC 33-24-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The division of state court administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or

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special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the executive director and in compliance with procedures prescribed by the executive director, furnish the executive director the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the judicial technology and automation project fund established by section 12 of this chapter.

(7) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm and transmitting this information to the Federal Bureau of Investigation for inclusion in NICS.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The division may adopt rules to implement this section.

SECTION 7. IC 35-36-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) Whenever a defendant is found not responsible by reason of insanity at the time of the crime, the prosecuting attorney shall file a written petition with the court under IC 12-26-6-2(a)(3) or under IC 12-26-7. If a petition is filed under IC 12-26-6-2(a)(3), the court shall hold a commitment hearing under IC 12-26-6. If a petition is filed under IC 12-26-7, the court shall hold a commitment hearing under IC 12-26-7.

(b) The hearing shall be conducted at the earliest opportunity after the finding of not responsible by reason of insanity at the time of the

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1 crime, and the defendant shall be detained in custody until the
 2 completion of the hearing. The court may take judicial notice of
 3 evidence introduced during the trial of the defendant and may call the
 4 physicians appointed by the court to testify concerning whether the
 5 defendant is currently mentally ill and dangerous or currently mentally
 6 ill and gravely disabled, as those terms are defined by IC 12-7-2-96 and
 7 IC 12-7-2-130(1). The court may subpoena any other persons with
 8 knowledge concerning the issues presented at the hearing.

9 (c) The defendant has all the rights provided by the provisions of
 10 IC 12-26 under which the petition against the defendant was filed. The
 11 prosecuting attorney may cross-examine the witnesses and present
 12 relevant evidence concerning the issues presented at the hearing.

13 (d) If a court orders an individual to be committed under IC 12-26-6
 14 or IC 12-26-7 following a verdict of not responsible by reason of
 15 insanity at the time of the crime, the superintendent of the facility to
 16 which the individual is committed and the attending physician are
 17 subject to the requirements of IC 12-26-15-1.

18 **(e) If a defendant is found not responsible by reason of insanity,**
 19 **the court shall transmit any information required by the division**
 20 **of state court administration to the division of state court**
 21 **administration for transmission to NICS (as defined in**
 22 **IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.**

23 SECTION 8. IC 35-36-2-5, AS AMENDED BY P.L.99-2007,
 24 SECTION 200, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) Except as provided by
 26 subsection (e), whenever a defendant is found guilty but mentally ill at
 27 the time of the crime or enters a plea to that effect that is accepted by
 28 the court, the court shall sentence the defendant in the same manner as
 29 a defendant found guilty of the offense.

30 (b) Before sentencing the defendant under subsection (a), the court
 31 shall require the defendant to be evaluated by a physician licensed
 32 under IC 25-22.5 who practices psychiatric medicine, a licensed
 33 psychologist, or a community mental health center (as defined in
 34 IC 12-7-2-38). However, the court may waive this requirement if the
 35 defendant was evaluated by a physician licensed under IC 25-22.5 who
 36 practices psychiatric medicine, a licensed psychologist, or a community
 37 mental health center and the evaluation is contained in the record of the
 38 defendant's trial or plea agreement hearing.

39 (c) If a defendant who is found guilty but mentally ill at the time of
 40 the crime is committed to the department of correction, the defendant
 41 shall be further evaluated and then treated in such a manner as is
 42 psychiatrically indicated for the defendant's mental illness. Treatment

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may be provided by:

(1) the department of correction; or

(2) the division of mental health and addiction after transfer under IC 11-10-4.

(d) If a defendant who is found guilty but mentally ill at the time of the crime is placed on probation, the court may, in accordance with IC 35-38-2-2.3, require that the defendant undergo treatment.

(e) As used in this subsection, "individual with mental retardation" has the meaning set forth in IC 35-36-9-2. If a court determines under IC 35-36-9 that a defendant who is charged with a murder for which the state seeks a death sentence is an individual with mental retardation, the court shall sentence the defendant under IC 35-50-2-3(a).

(f) If a defendant is found guilty but mentally ill, the court shall transmit any information required by the division of state court administration to the division of state court administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 9. IC 35-36-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) If at any time before the final submission of any criminal case to the court or the jury trying the case, the court has reasonable grounds for believing that the defendant lacks the ability to understand the proceedings and assist in the preparation of a defense, the court shall immediately fix a time for a hearing to determine whether the defendant has that ability. The court shall appoint two (2) or three (3) competent, disinterested:

(1) psychiatrists; or

(2) psychologists endorsed by the Indiana state board of examiners in psychology as health service providers in psychology.

At least one (1) of the individuals appointed under this subsection must be a psychiatrist. However, none may be an employee or a contractor of a state institution (as defined in IC 12-7-2-184). The individuals who are appointed shall examine the defendant and testify at the hearing as to whether the defendant can understand the proceedings and assist in the preparation of the defendant's defense.

(b) At the hearing, other evidence relevant to whether the defendant has the ability to understand the proceedings and assist in the preparation of the defendant's defense may be introduced. If the court finds that the defendant has the ability to understand the proceedings and assist in the preparation of the defendant's defense, the trial shall proceed. If the court finds that the defendant lacks this ability, it shall

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1 delay or continue the trial and order the defendant committed to the
 2 division of mental health and addiction. The division of mental health
 3 and addiction shall provide competency restoration services or enter
 4 into a contract for the provision of competency restoration services by
 5 a third party in the:

- 6 (1) location where the defendant currently resides; or
- 7 (2) least restrictive setting appropriate to the needs of the
- 8 defendant and the safety of the defendant and others.

9 However, if the defendant is serving an unrelated executed sentence in
 10 the department of correction at the time the defendant is committed to
 11 the division of mental health and addiction under this section, the
 12 division of mental health and addiction shall provide competency
 13 restoration services or enter into a contract for the provision of
 14 competency restoration services by a third party at a department of
 15 correction facility agreed upon by the division of mental health and
 16 addiction or the third party contractor and the department of correction.

17 **(c) If the court makes a finding under subsection (b), the court**
 18 **shall transmit any information required by the division of state**
 19 **court administration to the division of state court administration**
 20 **for transmission to NICS (as defined in IC 35-47-2.5-2.5) in**
 21 **accordance with IC 33-24-6-3.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 555, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 27, begin a new paragraph and insert:

"SECTION 3. IC 11-10-4-3, AS AMENDED BY P.L.99-2007, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) A committed offender may be involuntarily transferred to the division of mental health and addiction or to a mental health facility only if:

(1) the offender has been examined by a psychiatrist employed or retained by the department and the psychiatrist reports to the department in writing that, in the psychiatrist's opinion, the offender has a mental illness and is in need of care and treatment by the division of mental health and addiction or in a mental health facility;

(2) the director of mental health approves of the transfer if the offender is to be transferred to the division of mental health and addiction; and

(3) the department affords the offender a hearing to determine the need for the transfer, which hearing must comply with the following minimum standards:

(A) The offender shall be given at least ten (10) days advance written and verbal notice of the date, time, and place of the hearing and the reason for the contemplated transfer. This notice must advise the offender of the rights enumerated in clauses (C) and (D). Notice must also be given to one (1) of the following:

- (i) The offender's spouse.
- (ii) The offender's parent.
- (iii) The offender's attorney.
- (iv) The offender's guardian.
- (v) The offender's custodian.
- (vi) The offender's relative.

(B) A copy of the psychiatrist's report must be given to the offender not later than at the time notice of the hearing is given.

(C) The offender is entitled to appear in person, speak in the offender's own behalf, call witnesses, present documentary

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evidence, and confront and cross-examine witnesses.

(D) The offender is entitled to be represented by counsel or other representative.

(E) The offender must be given a written statement of the findings of fact, the evidence relied upon, and the reasons for the action taken.

(F) A finding that the offender is in need of mental health care and treatment in the division of mental health and addiction or a mental health facility must be based upon clear and convincing evidence.

(b) If the official in charge of the facility or program to which the offender is assigned determines that emergency care and treatment in the division of mental health and addiction or a mental health facility is necessary to control a mentally ill offender who is either gravely disabled or dangerous, that offender may be involuntarily transferred, subject to the approval of the director of the division of mental health and addiction, before holding the hearing described in subsection (a)(3). However, this subsection does not deprive the offender of the offender's right to a hearing.

(c) The official in charge of the division of mental health and addiction or facility to which an offender is transferred under this section must give the offender a semiannual written report, based on a psychiatrist's examination, concerning the offender's mental condition and the need for continued care and treatment in the division of mental health and addiction or facility. If the report states that the offender is still in need of care and treatment in the division of mental health and addiction or a mental health facility, the division of mental health and addiction or facility shall, upon request of the offender or a representative in the offender's behalf, conduct a hearing to review the need for that continued care and treatment. The hearing must comply with the minimum standards established by subsection (a)(3). The division of mental health and addiction or facility to which the offender is transferred under this section may conduct a hearing under this subsection upon its initiative.

(d) If the division of mental health and addiction or facility to which an offender is transferred under this section determines that the offender no longer needs care and treatment in the division of mental health and addiction or facility, the division of mental health and addiction or facility shall return the offender to the custody of the department of correction, and the department of correction shall reassess the offender to another facility or program.

(e) After an offender has been involuntarily transferred to and

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accepted by the division of mental health and addiction, the department shall transmit any information required by the division of state court administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3."

Page 4, line 24, delete "a copy of its order and".

Page 4, line 24, delete "other".

Page 5, line 4, delete "a copy of its order and".

Page 5, line 4, delete "other".

Page 5, delete lines 8 through 42.

Delete page 6.

Page 7, delete lines 1 through 41.

Page 8, delete lines 17 through 22.

Page 8, line 23, delete "(9)" and insert "(6)".

Page 8, line 23, after "ill" insert **"and has been involuntarily transferred to and accepted by the division of mental health and addiction under IC 11-10-4-3."**

Page 8, delete lines 24 through 25.

Page 9, line 6, after "evaluation" insert **"by a psychiatrist or psychologist licensed to practice in Indiana"**.

Page 9, line 15, delete "a copy of".

Page 11, line 23, delete "a copy of the verdict and".

Page 11, line 23, delete "other".

Page 12, line 20, delete "a copy of the verdict and".

Page 12, line 20, delete "other".

Page 13, line 23, delete "a copy of its order and".

Page 13, line 23, delete "other".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 555 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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